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SENATE BILL 3251

By Carter

AN ACT to amend Chapter 212 of the Private Acts of 1990 and Chapter 50 of the Private Acts of 1941; as amended by Chapter 243 of the Private Acts of 1982; Chapter 156 of the Private Acts of 1986; Chapter 101 of the Private Acts of 1989; and Chapter 183 of the Private Acts of 1998; and any other acts amendatory thereto, relative to the General Sessions Court of Madison County, Tennessee.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 50 of the Private Acts of 1941; as amended by Chapter 243 of the Private Acts of 1982; Chapter 156 of the Private Acts of 1986; Chapter 101 of the Private Acts of 1989; and Chapter 183 of the Private Acts of 1998 is amended by deleting the first, second and third paragraphs of Section 1 and substituting instead the following:

Effective upon approval, the Clerk and Master of the Chancery Court of Madison County shall act as Clerk for all matters involving probate cases and the proceedings thereto. Upon approval, the Juvenile Court Clerk shall transfer all files, records and other documents pertaining to probate matters in Madison County to the Clerk and Master of Chancery Court of Madison County.

The fees, commissions, emoluments, duties, authority and responsibilities of the Clerk and Master of Chancery Court shall be the same as provided by general law for Chancery Court, a Court of General Sessions and a Clerk of Probate Court.

Except as provided herein, nothing contained in this act shall be construed to affect or alter the duties, responsibilities, fees and jurisdiction of the Clerk and Master of Chancery Court, the Clerk of Probate, Juvenile or General Sessions Courts of Madison County. The Circuit Court Clerk shall continue to serve as clerk in all other matters within the jurisdiction of the General Sessions Court.

SECTION 2. Chapter 212 of the Private Acts of 1990 as amended by Chapter 183 of the Private Acts of 1998, is amended by deleting subsection (g) to Section 1 and substituting instead the following:

(g) Effective upon approval, the Clerk and Master of Chancery Court of Madison County shall act as clerk for all matters involving probate cases and proceedings. As to these probate duties, the fees, commissions, emoluments, duties, authority and responsibilities of the Clerk and Master of Chancery Court shall be the same as provided by general law for the Clerk of Probate Court.

SECTION 3. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Madison County. Its approval or nonapproval shall be proclaimed by the presiding officer of Madison County and certified to the secretary of state.

SECTION 4. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 3.